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09/720,075	03/22/2002	Dani Zeevi	81337	8855
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WELSH & KATZ, LTD 120 S RIVERSIDE PLAZA 22ND FLOOR CHICAGO, IL 60606			KE, PENG	
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			2174	

DATE MAILED: 05/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/720,075

Applicant(s)

ZEEVI ET AL.

Examiner

Peng Ke

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 41-82 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 41-82 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This action is responsive to communications: Amendment, filed on 11/ 26/04.

This action is final.

Claims 41-82 are pending in this application. Claims 41, 68, and 76 are independent claims. In the Amendment, filed on 11/26/04, claims 1-40 were canceled and claim 41-82 were added.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

The term "substantially" in claim 50, 56, 62, 66, 69, and 73 are a relative term which renders the claim indefinite. The term "Substantially" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

Examiner interpret claim 50 to be reciting, "wherein generating the user interface screen comprises building the user interface screen based on the features of the image received from the designer without resort to a textual description of the user interface elements."

Examiner interpret claim 64 to be reciting, "wherein arbitrarily defining the mapping comprises mapping the user interface objects in a manner that is independent of an operating platform on which the application runs."

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Examiner interpret claim 66 to be reciting, “wherein generating the user interface screen comprises generating the same user interface screen on the browser and on a local client of the application.”

Examiner interprets claim 73 to be reciting, “wherein the instructions cause the computer to generate the user interface screen without dependence on an operating platform on which the application runs.”

Examiner interprets claim 56 to be reciting, “wherein the at least one of the features in the image comprises an elongate feature that deviates substantially from a straight, linear shape.”

Examiner interprets claim 69 to be reciting, “A product according to claim 69, wherein the instructions cause the computer, responsive to a change made by a user in a graphic quality of one of the features in the image, to change the corresponding user interface element on the screen responsive to changing the graphic quality, without effect on the method to which the corresponding user interface object is linked.”

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for

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patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 41, 42, 45, 46, 49, 50, 52, 57- 60, 64-69, 71, 73-77, 79, 81 and 82 are rejected under 35 U.S.C. 102(e) as being anticipated by Glaser (US 6,392,671).

1-40. (Canceled)

As per claim 41, Glaser teaches a method for creating a graphic user interface (GUI) for a computer application, comprising:

defining user interface objects and user interface elements corresponding to the user interface objects in a GUI layer that is separate from the computer application; (See Glaser; col. 3, lines 1-13)

arbitrarily defining a mapping between the user interface objects and respective locations in a user interface screen, wherein the mapping is independent of the computer application; (See Glaser; col. 3, lines 13-22)

generating the user interface screen comprising the user interface elements in the respective locations determined by the mapping; and (See Glaser; col. 6, lines 42-65)

linking the user interface objects in the GUI layer to methods in the computer application, so that interaction of a user with the user interface elements in the user interface screen invokes the methods linked to the objects.(See Glaser; figure 2b. item "My Computer")

As per claim 42, Glaser teaches a method according to claim 41, wherein arbitrarily defining the mapping comprises:

defining a relation that associates the user interface objects with corresponding features in an image provided by a designer of the GUI; (See Glaser, figure 2A, figure 2B, item “My Computer”, “Network Neighborhood”)

receiving the image from the designer, wherein the image comprises one or more of the features in respective positions; and (See Glaser, col. 7, lines 42-58)

determining the respective locations of the user interface objects based on the respective positions of the corresponding features in the image. (See Glaser, col. 5, lines 1-8)

As per claim 45, Glaser teaches a method according to claim 42, wherein defining the relation comprises associating the features of a given shape with a corresponding one of the user interface objects. (See Glaser, figure 2A, figure 2B, item “My Computer”, “Network Neighborhood”)

As per claim 46, Glaser teaches a method according to claim 42, wherein receiving the image comprises changing a graphic quality of one of the features in the image, and wherein generating the user interface screen comprises changing the corresponding user interface element on the user interface screen responsive to changing the graphic quality, substantially without effect on the method to which the corresponding user interface object is linked. (See Glaser, col. 5, lines 50-60)

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As per claim 49, Glaser teaches a method according to claim 42, wherein receiving the image comprises receiving a bitmap image, such that the respective locations of the user interface objects are determined responsive to the bitmap image. (See Glaser, figure 2A, figure 2B, item “My Computer”, “Network Neighborhood”)

As per claim 50, Glaser teaches a method according to claim 42, wherein generating the user interface screen comprises building the user interface screen based on the features of the image received from the designer, without resort to a textual description of the user interface elements. (See Glaser; col. 3, lines 13-22)

As per claim 52, Glaser teaches a method according to claim 42, wherein defining the relation comprises identifying at least one of the features in the image with an area for display of text or graphics associated with the application. (See Glaser, figure 2A, figure 2B, item “My Computer”, “Network Neighborhood”; It is inherent that image for “my computer” and “network neighborhood” are designated icons.)

As per claim 57, Glaser teaches a method according to claim 41, wherein defining the user interface objects comprises altering one of the user interface objects by inheritance thereof. (See Glaser, figure 2A, figure 2B, item “My Computer”, “Network Neighborhood”; It is inherent that image for “my computer” and “network neighborhood” are designated icons.)

As per claim 58, Glaser teaches a method according to claim 41, wherein generating the user interface screen comprises providing a skin including graphic representations of the user

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interface elements at the locations to which the corresponding user interface objects are mapped. (See Glaser, figure 2A, figure 2B, item “My Computer”, “Network Neighborhood”)

As per claim 59, Glaser teaches a method according to claim 41, wherein generating the user interface screen comprises altering an appearance of one or more of the user interface elements while the application is running. (See Glaser, col. 5, lines 1-8; It is inherent that the desktop theme may be changed while the OS is running)

As per claim 60, Glaser teaches a method according to claim 59, wherein altering the appearance comprises providing multiple different views of the user interface screen. (See Glaser, figure 2A, figure 2B, item “My Computer”, “Network Neighborhood”)

As per claim 64, Glaser teaches a method according to claim 41, wherein arbitrarily defining the mapping comprises mapping the user interface objects in a manner that is substantially independent of an operating platform on which the application runs. (See Glaser; col. 5, lines 37-60)

As per claim 65, Glaser teaches a method according to claim 41, wherein generating the user interface screen comprises generating a browser screen on a computer accessing the application remotely via a network. (See Glaser col. 7, lines 43-60)



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As per claim 66, Glaser teaches a method according to claim 65, wherein generating the user interface screen comprises generating the same user interface screen on the browser and on a local client of the application. (See Glaser col. 7, lines 43-60; It inherent that if same theme is chosen from two different desktops, their appearances would be the same)

As per claim 67, Glaser teaches a method according to claim 41, wherein arbitrarily defining the mapping comprises defining a relation that is preserved across multiple, different applications. (See Glaser; col. 3, lines 13-22)

As per claim 68, it is rejected with the same rationale as claim 41. Supra

As per claim 69, which is dependent on claim 68, it is of the same scope as claim 42.

Supra

As per claim 71, which is dependent on claim 68, it is of the same scope as claim 42.

Supra

As per claim 73, which is dependent on claim 68, it is of the same scope as claim 64.

Supra

As per claim 74, which is dependent on claim 68, it is of the same scope as claim 60.

Supra

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As per claim 75, which is dependent on claim 68, it is of the same scope as claim 59.

Supra

As per claim 76, it is rejected with the same rationale as claim 41. Supra

As per claim 77, which is dependent on claim 76, it is of the same scope as claim 42.

Supra

As per claim 79, which is dependent on claim 77, it is of the same scope as claim 45.

Supra

As per claim 81, which is dependent on claim 76, it is of the same scope as claim 67.

Supra

As per claim 82, which is dependent on claim 76, it is of the same scope as claim 59.

Supra

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 43, 48, 61, and 70 are rejected under 35 U.S.C. 103(a) as being unpatentable over Glaser (US 6,392,671) in view of Craycroft et al. (US 6,731,310).

As per claim 43, Glaser teaches a method according to claim 42. However, he fails to teach wherein defining the relation comprises associating the features of a given color with a corresponding one of the user interface objects.

Craycroft et al teaches the relation comprises associating the features of a given color with a corresponding one of the user interface objects. (See Craycroft, col. 4, lines 35-45)

It would have been obvious to an artisan at the time of the invention to include Craycroft's teaching with method of Glaser in order to allow windows to be characterized in a variety of ways.

As per claim 48, Glaser teaches a method according to claim 46. However, he fails to teach wherein changing the graphic quality comprises changing a size characteristic of the one of the features in the image, and wherein changing the corresponding user interface element comprises changing a corresponding size characteristic of the user interface element in the user interface screen.

Craycroft teaches wherein changing the graphic quality comprises changing a size characteristic of the one of the features in the image, and wherein changing the corresponding user interface element comprises changing a corresponding size characteristic of the user interface element in the user interface screen. (See Craycroft, col. 5, lines 1-11; Figure 2c, item "list views")

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It would have been obvious to an artisan at the time of the invention to include Craycroft's teaching with method of Glaser in order to allow user to change the appearance of the user interface to his prefers.

As per claim 61, which is dependent on claim 60, it is of the same scope as claim 48.

Supra

As per claim 70, which is dependent on claim 69, it is of the same scope as claim 43.

Supra

Claims 47, 53-56 and 78 are rejected under 35 U.S.C. 103(a) as being unpatentable over Glaser (US 6,392,671) in view of Novak et al. (US 6,791,581).

As per claim 47, Glaser teaches a method according to claim 46. However he fail to teach wherein changing the graphic quality comprises changing the position of the one of the features in the image, and wherein changing the corresponding user interface element comprises changing the location of the user interface element in the user interface screen.

Novak et al. teaches wherein changing the graphic quality comprises changing the position of the one of the features in the image, and wherein changing the corresponding user interface element comprises changing the location of the user interface element in the user interface screen. (See Novak col. 17, lines 35-48)

It would have been obvious to an artisan at the time of the invention to include Novak et al.'s teaching with method of Galser's method in order to allow user to have additional control buttons and functions.

As per claim 51, Galser teaches A method according to claim 42. However, Galser fails to teach wherein defining the relation comprises identifying at least one of the features in the image with a user interface push button.

Novak et al. teaches wherein defining the relation comprises identifying at least one of the features in the image with a user interface push button. (See Novak figure. 14, item 1410)

It would have been obvious to an artisan at the time of the invention to include Novak et al.'s teaching with method of Galser's method in order to allow user to manipulate the media that is being played.

As per claim 53, Galser teaches a method according to claim 42. However, Galser fails to teach wherein defining the relation comprises identifying at least one of the features in the image with a user control for selecting a value of a parameter from a range of values.

Novak et al. teaches wherein defining the relation comprises identifying at least one of the features in the image with a user control for selecting a value of a parameter from a range of values. (See Novak figure 14, item 1404)

It would have been obvious to an artisan at the time of the invention to include Novak et al.'s teaching with method of Galser's method in order to allow user to manipulate value of the media.

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As per claim 54, Galser teaches a method according to claim 53. However, he fails to teach wherein the at least one of the features in the image comprises a range of colors corresponding to the range of values of the parameter.

Novak et al. teaches wherein the at least one of the features in the image comprises a range of colors corresponding to the range of values of the parameter. (See Novak col. 9 line 45- col. 10 24)

It would have been obvious to an artisan at the time of the invention to include Novak et al.'s teaching with method of Galser's method in order to allow user to define which event are triggered by click in what areas of the skin.

As per claim 55, Galser teaches a method according to claim 53. However, he fails to teach wherein the at least one of the features in the image defines a range of positions of a slider corresponding to the range of values of the parameter.

Novak et al. teaches wherein the at least one of the features in the image defines a range of positions of a slider corresponding to the range of values of the parameter. (See Novak col. 17, lines 35-48)

It would have been obvious to an artisan at the time of the invention to include Novak et al.'s teaching with method of Galser's method in order to allow user to have additional control buttons and functions.

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As per claim 56, Galser teaches a method according to claim 55. However, he fails to teach wherein the at least one of the features in the image comprises an elongate feature that deviates from a straight, linear shape.

Novak et al. teaches wherein the at least one of the features in the image comprises an elongate feature that deviates from a straight, linear shape. (See Novak col. 17, lines 35-48)

It would have been obvious to an artisan at the time of the invention to include Novak et al.'s teaching with method of Galser's method in order to allow user to have additional control buttons and functions.

As per claim 78, which is dependent on claim 77, it is of the same scope as claim 54.

Supra

Claims 62, 63, and 80 are rejected under 35 U.S.C. 103(a) as being unpatentable over Glaser (US 6,392,671) in view of Hochstedler et al. (US 6,707,476).

As per claim 62, Glaser teaches a method according to claim 60. However he fails to teach wherein the application comprises a multimedia player application having multiple channels, and wherein providing the multiple different views comprises associating the different views with different channels of the multimedia player.

Hochstedler teaches wherein the application comprises a multimedia player application having multiple channels, and wherein providing the multiple different views comprises associating the different views with different channels of the multimedia player. (See Hochstedler, col. 7, lines 5-48)

It would have been obvious to an artisan at the time of the invent to include Hochstedler's teaching with method of Glaser in order to user with an adaptable interface.

As per claim 63, Galser teaches a method according to claim 59. However, he fails to teach wherein the application presents content to the user, and wherein altering the appearance comprises altering the appearance of the one or more user interface elements responsive to a characteristic of the content.

Hochstedler teaches wherein the application presents content to the user, and wherein altering the appearance comprises altering the appearance of the one or more user interface elements responsive to a characteristic of the content. (See Hochstedler, col. 7, lines 5-48)

It would have been obvious to an artisan at the time of the invent to include Hochstedler's teaching with method of Glaser in order to user with an adaptable interface.

As per claim 80, Galser teaches an apparatus according to claim 77. However, he fails to teach and comprising a pointing device, which is operable by the designer to change a graphic quality of one, of the features in the image, wherein the processor is adapted to change the corresponding user interface element on the screen responsive to changing the graphic quality, substantially without effect on the method to which the corresponding user interface object is linked.

Hochstedler teaches wherein the a pointing device, which is operable by the designer to change a graphic quality of one, of the features in the image, wherein the processor is adapted to change the corresponding user interface element on the screen responsive to changing the



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graphic quality, substantially without effect on the method to which the corresponding user interface object is linked. (See Hochstedler, col. 7, lines 5-48)

It would have been obvious to an artisan at the time of the invention to include Hochstedler's teaching with method of Glaser in order to user with an adaptable interface.

Claim 72 is rejected under 35 U.S.C. 103(a) as being unpatentable over Glaser (US 6,392,671) in view of Kanevsky et al. (US 6,300,947).

As per claim 72, Galser teaches a product according to claim 69. However, he fails to teach wherein the instructions cause the computer, responsive to a change made by a user in a graphic quality of one of the features in the image, to change the corresponding user interface element on the screen responsive to changing the graphic quality, substantially without effect on the method to which the corresponding user interface object is linked.

Kanevsky teaches wherein the instructions cause the computer, responsive to a change made by a user in a graphic quality of one of the features in the image, to change the corresponding user interface element on the screen responsive to changing the graphic quality, substantially without effect on the method to which the corresponding user interface object is linked. (See Kanevsky col. 1, lines 55- col. 4, lines 8)

It would have been obvious to an artisan at the time of the invention to include Kanevsky's teaching with method of Glaser in order to allow the interface to be displayed on different platforms.

Claim 44 is rejected under 35 U.S.C. 103(a) as being unpatentable over Glaser (US 6,392,671) in view of Buxton et al. (US 6,118,427).

As per claim 44, Galser teaches a method according to claim 43. However, he fails to teach wherein associating the features of the given color comprises identifying a certain color with a background region of the user interface screen, and wherein generating the user interface screen comprises displaying the background region as a transparent region.

Buxton et al. teaches wherein associating the features of the given color comprises identifying a certain color with a background region of the user interface screen, and wherein generating the user interface screen comprises displaying the background region as a transparent region. (See Buxton col. 3, lines 35-col. 4, lines 56)

It would have been obvious to an artisan at the time of the invention to include Buxton's teaching with method of Glaser in order to maximize user or system performance.

#### ***Response To argument***

Applicant's arguments with respect to claims 41-82 have been considered but are deemed to be moot in view of the new grounds of rejection.

#### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

#### Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peng Ke whose telephone number is (571) 272-4062. The examiner can normally be reached on M-Th and Alternate Fridays 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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